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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,090	12/05/2000	Steve C. Mutschler	1330.1058(PIK)	3278

21171 7590 12/16/2004  
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EXAMINER

WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/729,090

Applicant(s)

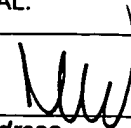
MUTSCHLER ET AL.

Examiner

Steven R. Wasylchak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferguson et al. (US 6,064,984)

Claims:

1. A process comprising:

electronically negotiating in real time between a first party and a second party to attain a negotiated for a package of financial accounts to meet financial needs of the first party and/

automatically fulfilling the negotiated agreement by electronically closing an real time between a first party and a second party to a package of financial accounts to meet financial needs

account of the first party which relates to the package and which preexists at a financial

institution not providing accounts as part of the package, and electronically delivering

the closed account to a financial institution which is providing accounts as part of the package./col 1, L 49-65; col 2, L 5-39

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2. A process as in claim 1, wherein the second party is a broker for a financial institution providing accounts as part of the package./col 1, L 49-65
3. A process as in claim 1, wherein the second party is a financial institution providing accounts as part of the package./col 2, L 59-65
4. A process as in claim 1, wherein the second party is a financial institution, and is the only financial institution providing accounts as part of the package./col 1, L 27-45
5. A process as in claim 1, further comprising, before performing said electronically negotiating:  
electronics presenting information by the first party to the second party indicating the financial needs of the first party./ col 2, L 5-39
6. A process as in claim 5, wherein said electronically presenting comprises electronically completing an application accessible through an electronic communications network by the first party, the completed application indicating the financial needs of the first party,/ col 2, L 5-39  
  
the process further comprises automatically analyzing the completed application to automatically create an initial package of financial accounts by the second party, and  
said electronically negotiating comprises iterative back and forth electronic negotiating between the first and second parties, from the initial package, to attain the negotiated agreement./ col 1, L 27-44; col 2, L 5-39

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7. A process as in claim 1, wherein said automatically fulfilling closes a plurality of accounts of the first party which relate to the package and which preexist at financial institutions not providing accounts as part of the package, and electronically the closed accounts to at least one financial institution which is providing accounts as part of the package./ col 1, L26-65

8. A process as in claim 1, further comprising:  
performing automatic learning with data from said electronically negotiating and said automatically fulfilling to improve negotiating results for the second party in subsequent negotiations with other parties./ col 2, L 24-45

9. A process as in claim 1, wherein said automatically fulfilling automatically fulfils the negotiated agreement by electronically closing all accounts of the first party which relate to the package and which preexist at a financial institution not providing accounts as part of the package, and electronically delivers the closed accounts to a financial institution which is providing accounts as part of the package./ col 1, L26-65

10. A process comprising:  
presenting information by a first party to a second party, the information indicating a financial need of the first party; preparing an initial package of financial accounts by a second party to meet the financial needs of the first party;  
presenting the initial package to the first party;

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iteratively and electronically negotiating real time between the first and second parties, from the initial package, to attain a negotiated agreement between the first and second parties for a finalized package of financial accounts to meet the financial needs of the first party; and

automatically fulfilling the negotiated agreement by electronically closing an account of the first party which relates to the finalized package and which preexists at a financial institution not providing accounts as part of the finalized package, and

electronically enclosed account to a financial institution which is providing accounts as part of initialized package./ col 2, L 5-45

11. A process as in claim 10, wherein the second party is institution providing accounts as part of the finalized package. / col 1, L 26-45

12. A process as in claim 10, wherein the second party's a financial institution

providing accounts as part of the finalized package./ col 2, L 5-45

13. A process as in claim 10, wherein  
said presenting information comprises completing an application by the first party, the completed application indicating the financial needs of the first party, and said preparing an initial package comprises analyzing the completed application to create the initial package to meet the needs of the first party.

/col 2, L 5-45

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14. A process as in claim 10, wherein  
said presenting information comprises electronically completing an application e  
first party and which is accessible by the first party through an electronic  
communications network, the completed application indicating the financial  
needs of the first party and  
said preparing an initial package comprises automatically analyzing the completed  
application.  
and automatically creating the initial package from the analyzed, completed  
application/ col 2, L 5-45

15. A process as in claim 10 further comprising:  
  
performing automatic learning with data from said iteratively and electronically  
negotiating and said automatically fulfilling to improve negotiating results for the  
second party in subsequent negotiations with other parties./ col 2, L 5-45

16. A process as in claim 10 comprising:  
  
performing automatic learning with data from said preparing an initial package,  
said iteratively and electronically negotiating, and said automatically fulfilling, to  
improve negotiating results for the second parry in subsequent negotiations with  
other parties./ col 2, L 5-45

17. A process as in claim 10, wherein said automatically fulfilling closes a  
plurality of accounts of the first parry which relate to the finalized package and  
which preexist at financial institutions not providing accounts as part of the  
finalized package, and electronically delivers the closed accounts to at least one

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financial institution which is providing accounts as part of the finalized package./

col 1, L26-65

18. A process comprising:

completing an application by a first party, the completed application indicating

financial needs of the first party;

analyzing the completed application to create an initial package of financial

accounts to meet the financial needs of the first party;

presenting the initial package to the first party;

iteratively and electronically negotiating in real time between the first and second parties, from the initial package, to attain a negotiated agreement between the first and second parties for a finalized package of financial accounts to meet the financial needs of the first party;

automatically fulfilling the negotiated agreement by electronically closing an account of the first party which relates to the finalized package and which preexists at a financial institution not providing accounts as part of the finalized package, and

electronically delivering the closed account to a financial institution which is providing accounts as part of the finalized package; and

performing automatic learning with data from said analyzing the completed application, said iteratively and electronically negotiating, and said



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automatically fulfilling, to improve negotiating results for the second party in subsequent negotiations with other parties./ col 1, L26-65; col 2, L 5-45

19. A process as in claim 18, wherein the application resides on a web site, and said completing an application is electronically performed by the first **parry** on the web site./col 2, L15-51

20. A process as in claim 18, wherein said automatically fulfilling closes a plurality of accounts of the first party which relate to the finalized package and which preexist at financial institutions providing accounts as part of the finalized package, and electronically delivers the proposed accounts to at least one financial institution which is providing accounts as part of the finalized package./ col 1, L26-45

21. A process comprising:  
electronically accessing a web site by a first party through an electronic communications network, the web site including an application;  
electronically completing the application on the web site by the first party, the completed application indicating financial needs of the first party;  
automatically analyzing the completed application by a second party;  
automatically creating an initial package of financial accounts by the second parry to meet the financial needs of the first party, based on the automatically analyzed, completed application;  
electronically presenting the initial package to the first party by the second party

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through the electronic communications network;

iteratively and electronically negotiating in real time between the first and second parties through the electronic communications network, from the initial package, to attain a negotiated agreement between the first and second parties for a

finalized package of financial accounts to meet the financial needs of the first party; and

automatically fulfilling the negotiated agreement by electronically closing an account of the first party which relates to the finalized package and which preexists at a

financial institution not providing accounts as part of the finalized package, and electronically delivering the closed account to a financial institution which is providing accounts as part of the finalized package./col 1, L 26-65; col 2, L5-45

22. A process as in claim 21, further comprising:

performing automatically learning with data from said automatically analyzing the completed application, said iteratively and electronically negotiating, and said automatically fulfilling, to improve negotiating results for the second party in subsequent negotiations with other parties./ col 2, L5-45

23. A process as in claim 21, wherein said automatically fulfilling closes a plurality of accounts of the first party which relate to the finalized package and which preexist at financial institutions not reporting accounts as part of the

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finalized package, and electronically delivering closed accounts to at least one financial institution which is providing accounts as part of the finalized package./ col 2, L5-45

24. An apparatus comprising:

a computer system allowing electronic negotiation in real time between a first party and a second party to attain a negotiated agreement for a package of financial accounts to meet financial needs of the first party; and a electronic system automatically fulfilling the negotiated agreement by electronically closing an account of the first party which relates to the package and which preexists at a financial institution not providing accounts as part of the package, and electronically delivering the closed account to a financial institution which is providing accounts as part of the package./ col 2, L5-45

25. An apparatus comprising:

means for electronically negotiating in real time between a first party and a second party to attain a negotiated agreement for a package of financial accounts to meet financial needs of the first party; and means for automatically fulfilling the negotiated agreement by electronically closing an account of the first party which relates to the package and which preexists at a financial institution not providing accounts as part of the package, and for electronically delivering the closed account to a financial institution which is providing accounts as part of the package./ col 2, L5-45

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This action is **NON-FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylichak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylichak

12/ 13 /04



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